

Docket No.: 61282-073

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Michael PAGE	:	Confirmation Number: 3846
	:	
Serial No.: 10/813,627	:	Group Art Unit: 2644
	:	
Filed: March 31, 2004	:	Examiner:
	:	
For: MODULATED OUTPUT OF DIGITAL AUDIO SIGNALS	:	

**RESPONSE TO NOTICE
OF MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated June 15, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$770.00
3. Late Filing Fee Surcharge of \$130.00
4. Total Additional Claim Fee of \$290.00
5. Certified Priority Documents (1)
6. Formal Drawings (2 Sheets)
7. Substitute Specification (10 Pages)
7. Assignment and Recordation fee of \$40.00 (On Separate Postcard)

10/813,627

Please charge Deposit Account No. 500417 in the amount of \$1190.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

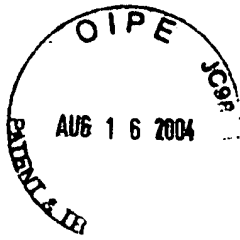
Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Michael E. Fogarty
Registration No. 36,139

600 13th Street, N.W.
Washington, DC 20005-3096
202.756.8000 MEF:gav
Facsimile: 202.756.8087
Date: August 16, 2004



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TRANSMITTAL OF FORMAL DRAWINGS

Mail Stop Formal Drawings
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

At the time the above application was filed, informal drawings were presented with the application.

Submitted herewith are 2 sheets of the formal drawings.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


Michael E. Fogarty
Registration No. 36,139

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Washington, DC 20005-3096
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Filed: March 31, 2004	:	Examiner:
For: MODULATED OUTPUT OF DIGITAL AUDIO SIGNALS	:	

TRANSMITTAL OF SUBSTITUTE SPECIFICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

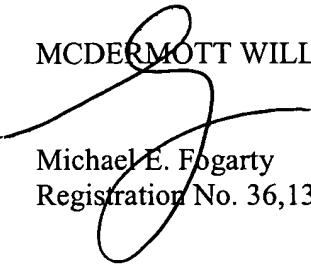
Sir:

At the time the above application was filed, a informal copy of the specification was presented with the application.

Submitted herewith are 10 sheets of the substitute specification.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


Michael E. Fogarty
Registration No. 36,139

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202.756.8000 MEF:gav
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,627	03/31/2004	Michael Page	61282-073

MCDERMOTT, WILL & EMERY
 600 13th Street, N.W.
 Washington, DC 20005-3096



CONFIRMATION NO. 3846

FORMALITIES LETTER



OC000000012955326

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/18/2004 MAHME1 00000015 500417 10813627

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA
 02 FC:1051 130.00 DA
 03 FC:1203 290.00 DA

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages ALL are not in compliance with 37 CFR 1.52(a).

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) ALL.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$290** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

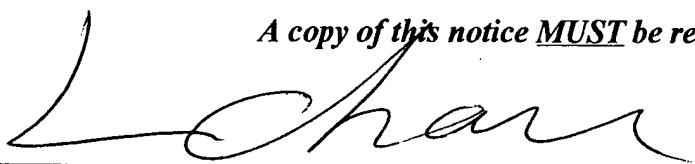
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1190** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$290**
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE